

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

1/3

In re:

PEDRO LUIS COLON MARTINEZ

Case No. 10-09205-ESL

Chapter 13

Attorney Name: FERNANDO H CRUZ TOLINCHÉ\*

I. Appearances

Debtor ☒ Present ☐ Absent  
Joint Debtor ☐ Present ☐ Absent  
Attorney for Debtor ☒ Present ☐ Absent  
☐ Pro-se  
☐ Substitute \_\_\_\_\_

Date: November 02, 2010

Time: 2:40pm Track: OC  
☐ This is debtor(s) 1<sup>st</sup> Bankruptcy filing.

Liquidation Value: T.B.D.

Creditors

- none -

II. Oath Administered

☒ Yes ☐ No

III. Documents Filed/Provided

☒ Schedules ☐ DSO Recipient's information  
☒ Statement of Financial Affairs (SOFA) ☐ State Tax Returns \_\_\_\_\_ ☐ Returned  
☒ Statement of Current Monthly Income (SCMI) ☐ Federal Tax Returns \_\_\_\_\_ ☐ Returned  
☒ Credit counseling briefing certificate (CCC) ☐ Evidence of income (60 days prior to petition)  
☐ Waiver requested by debtor(s)  
☐ DSO Certificate

IV. Status of Meeting ☐ Closed ☐ Not Held ☒ Continued 12/9/10 at 2:30pm

V. Trustee's Report on Confirmation

☐ FAVORABLE

☐ UNFAVORABLE

☒ Feasibility per certificate ☒ No DSO certificate (Post-petition) Ms. Peña  
☒ Insufficiently funded from ASUME- ☒ Evidence of income  
☐ Unfair discrimination \$46,716.92 ☒ Missing ☐ Incomplete  
☒ Fails liquidation value test (pre-petition) ☐ Stmt. of Current Monthly Income  
☒ Fails disposable income test (I & J) #6 ☐ Incomplete ☐ Missing  
☐ No provision for secured creditor(s) ☐ Fails commitment period ☐ Fails Disp. Income  
☐ Certificate of Credit briefing  
☐ Missing ☐ More than 180 days  
☐ Issuer not certified by U.S.T.  
☐ Treat value of collateral separately  
☐ No provision for insurance  
☒ Tax returns missing  
☒ State - years 06-09  
☒ Federal - years 08-09  
☐ Incomplete schedules  
☐ Incomplete S.O.F.A.  
☐ Other:

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VI. Plan

(Cont.)

Date: September 30, 2010 Base \$ 47,800.00 [X] Filed Evidence of Pmt shown: \_\_\_\_\_

Payments 0 made out of 1 due. [ ] Not Filed

VII. Confirmation Hearing Date: December, 1, 2010

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 250.00 = \$ 2,750.00

IX. Documents to be provided w/in 10 days

[X] Amended schedules I, J, D

[ ] Insurance estimate

[ ] Assumption/Rejection executory contract

[ ] Appraisal \_\_\_\_\_

[ ] State tax returns years \_\_\_\_\_

[ ] Federal tax returns years \_\_\_\_\_

[ ] Correct SS # (Form B21)

[ ] Debtor [ ] Joint debtor

[ ] Other: \_\_\_\_\_

[X] Amended S.O.F.A. #1

[X] Amended plan as to source of  
lump sum

[ ] Business Documents \_\_\_\_\_

[ ] Monthly reports for the months \_\_\_\_\_

[ ] Public Liability Insurance

[ ] Premises \_\_\_\_\_

[ ] Vehicle(s) \_\_\_\_\_

[ ] Licenses issued by: \_\_\_\_\_

[ ] M.T.D. to be filed by Trustee: Debtor(s): [ ] failed to appear; [ ] failed to commence payments;

[ ] failed to keep payments current; [ ] does (do) not qualify as a debtor (§109); \_\_\_\_\_

[ ] Other: \_\_\_\_\_ (\*) 10 days to make 1st payment or Trustee will  
move for dismissal

COMMENTS

① Provide DSO address: Mrs. Dandra Peña Lopez thru ASUME  
② Schedule F is empty  
③ Provide court order regarding child support payments.  
Debtor also is requesting modification of child support payments-  
debtor to notify if any modification (with court order)

Alejandro  
Trustee/Presiding Officer

④ Amend I: debtor lives with  
common law spouse, she works for Santander.  
He testified she pays all household expenses.  
Amend J accordingly.

Date: November 02, 2010

(Rev.

## 341 MEETING MINUTES CONTINUATION SHEET

DEBTOR(S) NAME: Pedro L. Colon MartinezCASE NO. 10-09205-ESL

## COMMENTS CONTINUATION:

⑤ Amend D- include Lienholder Doral Bank. Debtor testified he is not making post-petition payments. He is going to request a loan modification. Debtor was advised to request court's authorization.

⑥ Schedule J has a disposable income = \$196.00; plan payments are \$400.00

⑦ After reviewing schedules, Presiding Officer understands that no adequate notice was given to creditors. Debtor to amend schedules, give notice to creditors of amendments and of new 3rd meeting.

R. P. Pineda  
TRUSTEE OR PRESIDING OFFICER

DATE: 11/2/10PAGE: 3